

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:
PETER FARAHANI CHEGINI
NAHID MOGHADDAM CHEGINI,
Debtors.

Case No: 6:12-bk-6520-ABB

Chapter 13

**MOTION TO COMPEL BANK OF AMERICA, NA. AND/OR GREEN TREE AS
SERVICER FOR FANNIE MAE TO PROVIDE PERMANENT LOAN MODIFICATION
(Property Address: 3150 Natoma Way, Orlando, FL 32825)**

Come now the Debtors by and through counsel undersigned and file this Motion to Compel Bank of America, N.A. and or Green Tree as Servicer for FANNIE MAE, to provide the permanent loan modification agreement, and in support thereof would state as follows:

1. This Court entered its Order Granting Motion to Approve Fannie Mae Loan Modification Trial Period Agreement with Bank of America NA (Doc. 85) on May 17, 2013.
2. The Debtors have made their trial payments.
3. Bank of America, N.A. has not sent the permanent loan modification agreement within a reasonable period of time as provided in said Order. Furthermore, Green Tree has sent a notice that Debtors did not make the trial payments on time when in fact the Chapter 13 Trustee's records reflect they did.
4. Under information, knowledge and belief the loan may have been transferred to Green Tree by Bank of America, N.A. but the transfer has not been properly filed with this Court and therefore the Chapter 13 Trustee has continued to pay Bank of America and those checks according to the Chapter 13 website have been returned to the Chapter 13 Trustee. The undersigned's office has communicated with Green Tree that the checks have been returned to the Chapter 13 Trustee.

5. The Debtors have agreed to pay the undersigned a reasonable fee for the necessity of filing this motion, cannot afford same and would request contribution from Bank of America, N.A. and or Green Tree if they are now proper Servicer.

WHEREFORE, Debtors respectfully requests this Court compel Bank of America, N.A. and or Green Tree to provide Debtors with the permanent agreement, to award attorney's fees and grant such other relief that may be just and proper in the circumstances.

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail this 10th day of December, 2013, to: Laurie K. Weatherford, Trustee, PO Box 3450, Winter Park, FL 32790; Debtors; Taji S. Foreman, Esquire, Elizabeth R. Wellborn, PA, 350 Jim Moran Blvd, Ste 100, Deerfield Beach, FL 33442, attorney for Bank of America, N.A.; and to Green Tree, Servicing LLC, Attn. President, Officer, Manager, Managing Agent, where creditor routinely does business, PO Box 6154, Rapid City, SD 57709-6154.

/s/ Robert B. Branson

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